

promise of a new, better, and more inclusive life for citizens with disabilities—but we still have a way to go. Today, as we rightly look back with pride, we also need to look ahead with hope and dedication.

We still face many challenges, especially in areas such as health care and in home-based and community-based services and support. Many persons with disabilities still do not have the services and support they need to make choices about how best to live their lives. Many are unwillingly confined to institutions or unable to have a financial plan for their future.

A strong Medicare prescription drug benefit is essential for all people with disabilities. Today, about one in six Medicare beneficiaries—over 6 million people—is a person with disabilities under aged 65. Over the next 10 years that number is expected to increase to 8 million. These persons are much less likely to be able to obtain or afford private insurance coverage. Many of them are forced to choose between buying groceries, paying their mortgage, or paying for their medication.

Families raising children with significant disabilities deserve health care for their children. No family should be forced to go bankrupt, live in poverty, or give up custody of their disabled child in order to get needed health care for disabled child. They deserve the right to buy-in to Medicaid so that their family can stay together and stay employed. Congress did its job, and now every State should do its part under the Family Opportunity Act, adopted in 2005.

People with disabilities and older Americans need community-based assistance as well, so they can live at home with their families and in their communities. We need to pass the CLASS Act to ensure this support is available, without forcing families into poverty. It is a challenge for the Nation, and we need to work together to meet it.

The Americans with Disabilities Act was an extraordinary milestone in the pursuit of the American dream. Many disability and civil rights leaders in communities throughout the country worked long and hard and well to achieve it.

To each disabled American, I say thank you. It is all of you who are the true heroes of this achievement and who will lead us in the fight to keep the ADA strong in the years ahead.

Sadly, the Supreme Court has not been on our side. In the past 17 years, it has restricted the intended scope of the ADA. Suppose you are a person with epilepsy in a job you love and you get excellent personnel reviews. You are taking medicine that controls the seizures and you have no symptoms. But your employer finds out you have epilepsy and fires you. Should you be able to sue your employer for discrimination? Suppose you are a person with Down's syndrome, doing a fantastic job at the local Wal-Mart, but the manager

really doesn't want someone with Down's syndrome greeting the public. Should you be able to sue for discrimination or are you no longer even covered under the ADA? Congress intended full protection from discrimination—but the courts are ruling differently. It is time now to restore the intent of the ADA.

The Supreme Court continues to carve out exception after exception in the ADA. But discrimination is discrimination, and no attempt to blur that line or write exceptions into the law should be tolerated. Congress wouldn't do it, and it is wrong for the Supreme Court to do it.

The ADA was a spectacular example of bipartisan cooperation and success. Passed by overwhelming majorities in both the House and the Senate, Republicans and Democrats alike took rightful pride in the goals of the law and its many accomplishments.

I know that the first President Bush, Senator Bob Dole, Senator HARKIN, and many other Members of Congress from both sides of the aisle consider their work on the ADA to be among their finest accomplishments in public service. It is widely regarded today as one of the giant steps in our ongoing two-centuries-old civil rights revolution.

The need for that kind of bipartisan cooperation is especially critical today as Congress embarks on restoring the ADA to its original intent, so that the rights of those with disabilities are protected, not violated.

Today, more than ever, disability need no longer mean the end of the American dream. Our goal is to banish stereotypes and discrimination, so that every disabled person can realize the dream of working and living independently and becoming a productive and contributing member of our community.

That goal should be the birthright of every American and the ADA opened the door for every disabled American to achieve it.

A story from the debate on the ADA eloquently made the point. A postmaster in a town was told to make his post office accessible. The building had 20 steep steps leading up to a revolving door at the only entrance. The postmaster questioned the need to make such costly repairs. He said, "I've been here for thirty-five years, and in all that time, I've yet to see a single customer come in here in a wheelchair." As the Americans with Disabilities Act has proved so well, if you build the ramp, they will come, and they will find their field of dreams.

So let's ramp up our own efforts across the country. We need to keep building those ramps, no matter how many steps stand in the way. We will not stop today or tomorrow or next month or next year. We will not ever stop until America works for all Americans.

I ask all of us in Congress join today in committing to keep the ADA strong. It is an act of conscience, an act of

community, and above all, an act of continued hope for a better future for our country as a whole.

ADDITIONAL STATEMENTS

COMMENDING SEAN SWARNER

• Mr. ALLARD. Mr. President, today I wish to commend an extraordinary man from Colorado who just became the only two-time cancer survivor to reach the peaks of the world's highest tallest mountains on every continent.

At the age of 13, Sean Swarner was diagnosed with stage IV Hodgkin's disease and was told he only had a few months to live. Sean battled back, but only 2 years later he was forced to face the possibility of death again. He was diagnosed with Askin's sarcoma, had a golf-ball sized tumor removed from his lung, and given only 10 days to live. Sean underwent intense chemotherapy and radiation, often slipping into comas from the abrasive treatments. The intensity of the radiation damaged one of his lungs to the point where it was no longer fully functional. Sean endured more in those few years than most of us experience in a lifetime, but he survived and eventually thrived.

The cancers had been unrelated and doctors told Sean how lucky he was to survive, and that the odds of him surviving both cancers are similar to winning the lottery four times in a row with the same numbers. I don't believe luck had anything to do with Sean's survival. It was his absolute strength and fortitude that allowed him to fight the cancers. Sean beat the cancers and is now the only two-time cancer survivor to reach the summits of the highest mountains on all seven continents.

Sean began his trek in 2002 when he conquered Mount Everest. Since then, he has climbed Mount Kilimanjaro, Mount Elbrus, Mount Aconcagua, Mount Vinson Massif, Mount Kosciusko, and on June 16, 2007 he climbed Alaska's Mount Denali, the seventh and final mountain in his quest to reach the highest summits on each continent. Conquering all seven peaks is an incredible accomplishment for anyone, but for someone in Sean's condition it is nothing short of amazing. The determination, perseverance, and courage that Sean demonstrated stands as an example to all of us that anything is possible if you really want it to happen.

As amazing as these accomplishments are, Sean's story does not end with his successful mountain climbs and victory over two cancers. Sean is only 32 years old and has a lifetime ahead of him. He plans to climb the Carstensz Pyramid in Indonesia and the North and South Poles. Once he reaches the Poles, Sean will become one of less than a dozen people to complete the "Adventure Grand Slam" and the first cancer survivor to do so. When he isn't climbing mountains, Sean uses his experience with cancer and stories

from his expeditions to spread hope and inspiration. He makes regular visits to cancer wards and provides strength and courage for those who continue to suffer from and battle cancer. Sean has also begun a motivation speaking tour by visiting wounded troops and veterans all over the country and is currently making arrangements to speak in Afghanistan and Iraq.

Sean's story is truly inspirational, not only to those struggling to beat cancer, but to anyone who seeks to accomplish something that others say is impossible. I would like to commend Sean for his success and thank him for serving as such a positive role model to anyone who has faced long odds. Sean has proven the power of determination.●

RECOGNIZING DR. W. RON DEHAVEN

● Mr. CHAMBLISS. Mr. President, I wish to recognize Dr. W. Ron DeHaven, Administrator of USDA's Animal and Plant Health Inspection Service, APHIS. As Administrator for the last 3 years, he has ably carried out the agency's mission of protecting American agriculture.

As a strong leader of APHIS' domestic safeguarding efforts, Dr. DeHaven has been the public face of USDA's effective, science-based response to bovine spongiform encephalopathy, BSE, in the United States. He has brought strong leadership skills to increasing U.S. preparedness to deal with avian influenza viruses in our poultry industry and ensuring that APHIS maintains robust emergency response and antismuggling programs designed to prevent the establishment of exotic pests and diseases of agriculture in our country.

Dr. DeHaven serves as one of USDA's principal liaisons to the Department of Homeland Security. He has worked closely with his colleagues there on a number of fronts, including agricultural commodity inspections at our Nation's ports of entry and the joint work of USDA and DHS officials at the Plum Island Animal Disease Center off Long Island, NY. The work of the researchers and diagnosticians at the Center ensures our nation is prepared in the event of a detection of a highly contagious foreign animal disease, such as foot-and-mouth disease or classical swine fever.

The agency's role has been shaped on the international front under Dr. DeHaven's direction. He has spearheaded efforts to stop the spread in poultry of the Asian strain of H5N1 highly pathogenic avian influenza. He has also advocated for improving international animal disease response infrastructure, traveling extensively to create a coalition of like-minded developed countries to work with the United Nation's Food and Agriculture Organization, FAO, and the World Organization for Animal Health. Dr. DeHaven helped push for implementation of a

Crisis Management Center at the FAO's headquarters in Rome, with the goal of coordinating global H5N1 response efforts. I believe that the U.S. poultry industry is better protected as a result of his efforts.

Dr. DeHaven's integrity, dedication, and professionalism have represented the United States proudly in all of these endeavors. He has consistently championed U.S. agriculture in all of his international relationships and activities.

We congratulate him on his retirement from the Federal Government, and thank him for his 28 years of service with APHIS.●

HONORING DANIEL BALDINGER

● Mr. LAUTENBERG. Mr. President, today I wish to pay tribute to a valued friend, Daniel Baldinger, who passed away on July 4, 2007. Throughout his life he displayed a special kindness and a deep commitment to his friends and family. His spontaneous humor and wit made for a personality to which people were quickly attracted. He was multilingual, able to communicate in French, Italian, and Spanish among other languages as well. I enjoyed his company and looked forward to our times together. Dan, though creative and artistic, was also a skilled executive and presided over a family business started in 1955, which he quickly expanded into a booming business. The company, Louis Baldinger & Sons, became one of the leading companies in the lighting industry. Under Dan's leadership, Louis Baldinger & Sons' products were obtained by some of the countries most prestigious architects and designers.

While Dan achieved substantial success in his business ventures; he would be most proud of the breadth of friendships and loving relationships he shared with his family. He was a devoted and loving husband to his wife Marjorie of 48 years and together they enjoyed a wonderful family life. Dan was a proud father of his son Howard and daughter Toby, about whom he constantly bragged.

Dan was a caring man with deep intellectual curiosity and myriad interests. He was a person of various talents and abilities including cooking, which he did with flourish and gusto. At any given moment, one could find him discussing—in one of the many languages he spoke—baseball, his plans for the Design Industries Foundation Fighting AIDS, of which he was the national chairman, or his completion of the New York Marathon in 4 hours and 28 minutes.

While Dan is no longer with us, his memory will carry on. He lived life to the fullest and was a compassionate man who acted with integrity and decency. Dan touched so many lives and all of those that had the pleasure of knowing him will miss him greatly, including my wife Bonnie and me.●

HONORING DAVID A. WAKS

● Mr. LAUTENBERG. Mr. President, this week New Jersey lost one of its great citizens when Judge David A. Waks passed away far too early in life at 66 years of age.

I have known the Waks family over a number of years and his son, Joe Waks, carries on a proud family tradition of public service as chief of staff of my Senate operations in New Jersey.

David Waks was respected and admired for his candid, forthright action on decency and integrity in Government service. Known as someone who had a sympathetic ear and a generous heart, so much so that when a person in serious need sought his help he would reach into his own limited resources to assist. He was a model of a compassionate public servant who all in public service should emulate. Anyone who had the good fortune to know him was inspired by his genuine affection and concern. His life was exemplary and I wanted to ensure that a permanent record of David Waks' life existed as an outstanding example of how public service can be ennobled by the right kind of leadership.

I ask that an article from the Herald News be printed in the RECORD.

The article follows

[From Herald News, July 19, 2007]

DAVID A. WAKS, 66, LED LIFE OF SERVICE

(By Suzanne Travers)

WAYNE.—David A. Waks, who championed integrity in public service for almost 40 years, first as a councilman, then as mayor in Wayne, and later as a state Superior Court judge in Paterson, died at his home here Wednesday.

The cause of death was lung cancer, diagnosed in mid-November, his wife, Joan, said.

Waks, 66, who once described himself to a reporter as an "ornery cuss" but told voters they could count on him to be fair-minded, even-handed and flexible, was known for his honesty, compassion, intelligence and hard work.

"He was one of Passaic County's real jewels," said Rep. Bill Pascrell Jr. (D-Paterson), a close friend for whom Waks' son, Joseph, previously worked as spokesman.

Born and raised in Paterson, Waks moved to Wayne and got his start in politics in 1971 as an advocate for local tenants after his landlord hiked his apartment's rent by 20 percent.

He was elected to the council with heavy support from 5th Ward renters, and continued to support enforcement of tenants' rights. Often the only Democrat on a Republican governing body, Waks was elected mayor in 1994 and again in 1997, resigning to become judge in 2000.

In December 1971, Wayne's township council voted to give one of its last liquor licenses to the friend of a councilman. Soon after he was sworn in, in January 1972, Waks drafted a resolution to rescind the issuance of the license. To avoid public allegations of cronyism, the councilman's friend returned the license before the resolution could go before the council, and the license was later issued to a Vietnam veteran who opened a now-defunct liquor store on Route 23.

"It was a nice way to get started," said Waks. "Everybody knew the first time it was political patronage. It was the first thing I ever did, and still one of the proudest."

Waks' tenure coincided with an era in which former Wayne officials, including its